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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,203	01/22/2004	Takuya Hata	8048-1038	2346

466 7590 04/06/2007  
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EXAMINER

HOLTON, STEVEN E

ART UNIT PAPER NUMBER

2629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/761,203	Applicant(s) HATA ET AL.	
	Examiner Steven E. Holton	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 11 is objected to because of the following informalities:

The claim states the metal electrode layer is used to provide a voltage to the electroluminescent layer "from its behind." The phrase 'from its behind' is unclear as to how behind the electroluminescent layer is judged. The Examiner recommends using terminology similar to what is used in claim 12 where the front of the screen is relative to the viewing location of the display screen. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3 and 8 recite the limitation "each pixel" in line 2. There is insufficient antecedent basis for this limitation in the claim.
3. Claim 9 recites the limitation "same pixel" in line 3. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawai et al. (EP 1098376), hereinafter Kawai.

Regarding claim 1, Kawai discloses a display system with two displays superimposed on each other. The first display (Fig. 1, elements 201-205) possess a plurality of emission areas (Fig. 2, element A) and a plurality of transmission areas (Fig. 1, element 205) that are disposed in areas not occupied by the emission areas. Kawai further discloses a second display unit behind the first display unit (Fig. 1, elements 401-405). The display devices are described in Kawai, paragraphs 36-44.

Regarding claim 2, Kawai teaches the second display having discrete emission areas for emitting light within the display (Fig. 2, the unlabeled white ovals between layers 402 and 403 are light emitting areas).

Regarding claim 3, Kawai teaches the light emitting layers being disposed as pixels within the display (Fig. 2; paragraphs 42-44).

Regarding claims 4 and 5, Kawai discloses the emission areas of the second display line up with the transmission areas of the first display (Fig. 2, the emission areas

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line up with the transmission areas, element 205) and the emission areas of the second display are of a size of the transmission areas of the first display.

Regarding claim 6, Kawai discloses the second display is an electroluminescent display device (paragraphs 38-44).

Regarding claim 7, Kawai discloses a display device (Figs. 1 and 2, elements 201-205) with a plurality of areas for emitting light (Fig. 2, element A) and a plurality of areas for transmitting light (Fig. 1, element 205) that are separate from the emission areas.

Regarding claim 8, Kawai discloses the emission areas as pixels within the plane (paragraphs 36-44).

Regarding claim 9, Kawai discloses the transmission areas emission areas are part of the same pixel (paragraphs 36-44). The Examiner notes that a emission area could be grouped with a transmission area and be considered a single pixel.

Regarding claim 10, Kawai discloses a non-transmissive electrode behind the emissive areas (Fig. 2, element 204). Kawai further discloses that the electrodes are formed of metallic alloys that would be inherently reflective. The transmissive areas are formed in between the reflective areas (Fig. 2, elements 204 and 205).

Regarding claim 11, Kawai discloses the metallic electrode being formed behind the electroluminescent areas (Fig. 2, elements A and 204).

Regarding claim 12, Kawai discloses the other electrode being a transparent electrode layer towards the front of the screen (Fig. 1, element 201).

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hattori et al. (USPN: 5912649) discloses a display device with two transparent display devices with reflective elements and emitting areas and transmitting areas.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven E. Holton whose telephone number is (571) 272-7903. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Steven E. Holton  
Division 2629  
March 29, 2007

AMR A. AWAD  
SUPERVISORY PATENT EXAMINER  
*Amr A. Awad*